IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Bail Appl..No. 7066 of 2007(B)

CRIME NO. 75/03 OF PATHANAPURAM POLICE STATION
CMP.10015/2007 of J.M.F.C.-III, PUNALUR

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PETITIONER/2ND ACCUSED

BIJU, S/O.RAMAN, MINI VILASAM, NEAR KUMBICKAL, PATHIRIKKAL MURI, PATHANAPURAM VILLAGE.

BY ADV. SMT.VIVEEJA RAVEENDRAN

RESPONDENTS: COMPLAINANTS

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1. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE, PATHANAPURAM POLICE STATION, KOLLAM DISTRICT.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 7066 of 2007

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Dated this the 20th day of November, 2007

O R D E R

Application for regular bail. The petitioner is the second accused. He faces allegations under the Kerala Abkari Act. The alleged incident took place on 24.2.2003. 9 litres of wash and implements for distillation were allegedly seized from the possession of the accused persons, including the petitioner. Investigation is complete. Final report has already been filed. Committal proceedings has been registered. The petitioner surrendered on 29.10.2007 and he continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall report before the S.H.O. Pathanapuram police station between 5 p.m. and 6 p.m. on the first Mondays of all English calender months, until the case against him is disposed of.

(R. BASANT)
Judge

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